

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
SHREVEPORT DIVISION

FORBING BLUFF TIMBER CO, LLC, ET AL      CIVIL ACTION NO. 21-cv-1823

VERSUS      CHIEF JUDGE HICKS

KINDERHAWK FIELD SERVICES, LLC      MAGISTRATE JUDGE HORNSBY

**MEMORANDUM ORDER**

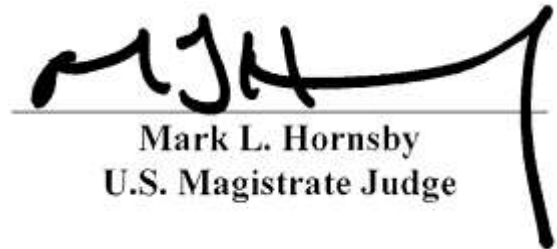
Two LLCs and a trust (acting through its trustee) filed suit in state court against Kinderhawk Field Services, LLC. Kinderhawk removed the case based on an assertion of diversity jurisdiction. It set forth the best information it could obtain about the membership of the plaintiff LLCs and the citizenship of the trustee. Before the court can be assured of subject matter jurisdiction, more specific information will have to be placed in the record.

“A party seeking to establish diversity jurisdiction must specifically allege the citizenship of every member of every LLC or partnership involved in a litigation.” Settlement Funding, L.L.C. v. Rapid Settlements, Ltd., 851 F.3d 530, 536 (5th Cir. 2017). If the members are themselves partnerships, LLCs, corporations or other form of entity, their citizenship must be alleged in accordance with the rules applicable to that entity, and the citizenship must be traced through however many layers of members or partners there may be. Mullins v. TestAmerica Inc., 564 F.3d 386, 397-98 (5th Cir. 2009); Rodidaco, Inc. v. Chesapeake Energy Louisiana Corp. 2018 WL 3551525 (W.D. La. 2018).

Counsel for all parties are directed to cooperate in gathering the membership information for the plaintiff LLCs as of the time the state court suit was filed and at the

time of removal. Coury v. Prot, 85 F.3d 244, 249 (5th Cir. 1996) (“In cases removed from state court, diversity of citizenship must exist both at the time of filing in state court and at the time of removal to federal court.”). Defendants are directed to file an amended notice of removal by **July 16, 2021** that sets forth the required information regarding the plaintiff LLCs and that confirms that trustee M. Lewis Norton was a citizen of Louisiana at the relevant times. If that filing reflects that none of the plaintiffs shares the Delaware and Texas citizenship of Kinderhawk, the court will enter a preliminary finding of jurisdiction.

THUS DONE AND SIGNED in Shreveport, Louisiana, this 25th day of June, 2021.



Mark L. Hornsby  
U.S. Magistrate Judge